**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**

**ORDINARY ORIGINAL CIVIL JURISDICTION**

NOTICE OF MOTION NO. 1699 OF 2005

IN

INCOME TAX APPEAL (LODG) NO. 667 OF 2005

The Commissioner of Income Tax .... Appellant

Vs.

M/s DGP Windsor (I) Ltd. .... Respondent

Mrs. P.P. Bhosale & Mr. B.M. Chatterji for Appellant

Ms. Dipti Raja for Respondent.

**CORAM : F.I. REBELLO, &**
**J.P. DEVADHAR, JJ.**

**DATE : 14TH AUGUST, 2007**

P.C.

. The delay is of 488 days. The cause shown in the Affidavit in support of the motion would not amount to sufficient cause. In the light of that, motion stands dismissed.

**(J.P. DEVADHAR, J.)** **( F.I. REBELLO, J.)**

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. In view of dismissal of the Notice of Motion for condonation of delay, Appeal does not survive and it is disposed of accordingly. Refund of court fees as per rules. Certified copy expedited.

**(J.P. DEVADHAR, J.)** **( F.I. REBELLO, J.)**